

# Agenda Item 65.

Application Number	Expiry Date	Parish	Ward
203514	12/03/21	Earley	Bulmershe and Whitegates;

<b>Applicant</b>	Mr J Singh
<b>Site Address</b>	34 Hilltop Road, Earley, Berkshire, RG6 1DA
<b>Proposal</b>	Full planning application for the proposed conversion of bungalow to form two self-contained dwellings comprising 1 x 3 bed apartment at ground floor and 1 x 1 bed apartment at first floor. (Following recent construction of extensions permitted by application 191411) and installation of four roof lights (part retrospective).
<b>Type</b>	Full
<b>Officer</b>	Natalie Jarman
<b>Reason for determination by committee</b>	Listed by Councillor Boyt

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 10 March 2021
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The dwelling has recently been extended under a planning permission granted in July 2019.</p> <p>This application seeks permission to subdivide the approved extended dwelling into two self-contained dwellings. The application also seeks permission for four roof lights, which have already been installed and are the retrospective element of the proposal.</p> <p>There are no physical changes to the exterior of the building, except for the roof lights, the impact of the proposed development on the character of the area is considered to be minimal.</p> <p>The proposal is considered to provide sufficient external amenity space to serve the proposed dwellings. The roof lights are not considered to result in unacceptable overlooking. Both of the proposed residential units meet National Space Standards.</p> <p>The proposed parking provision is considered to be acceptable. A condition requiring the submission of cycle parking provision is recommended as a condition.</p> <p>The application is being considered at Planning Committee at the request of the Ward Councillor.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Major Development Location: Earley</li> <li>• Overhead cables</li> <li>• Water Utility Consultation Zones</li> <li>• Contaminated Land Consultation Zone</li> <li>• Bat Roost Habitat Suitability</li> <li>• Landscape Character Assessment Area</li> <li>• SSSI Impact Risk Zones</li> </ul>

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **Conditions and informative:**

#### *Conditions:*

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

2. This permission is in respect of the submitted application plans and drawings numbered Design and Access Statement, Site Plan (HTR:600), Site Location and Block Plan (HTR:601), Pre Existing Floor Plans (HTR:603), Pre Existing Elevations (HTR:604), As Built and As Proposed Floor Plans (HTR:605) received by the local planning authority on 15<sup>th</sup> December 2020 and As Built and As Proposed Elevations (HTR:606A) received by the local planning authority on 11<sup>th</sup> January 2021 and Site Plan 1 to show amenity area split (HTR:607) received by the local planning authority on 8<sup>th</sup> February 2021. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

3. Prior to occupation of the development hereby permitted details of secure and covered bicycle storage / parking facilities for the occupants of the development shall be submitted to and approved in writing by the local planning authority. The cycle storage / parking shall be implemented in accordance with such details as may be approved before occupation of the development hereby permitted, and shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

*Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

4. Prior to occupation of the development hereby permitted the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking

space shall be permanently maintained and remain available for the parking of vehicles at all times.

*Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

5. Prior to occupation of the development hereby approved there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

*Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03, TB21 and TB06.*

6. Prior to occupation of the development hereby permitted results of acoustic testing shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the noise insulation between the apartments meets the following minimum acoustic insulation requirements:

Airborne sound insulation: 43dB Dn,t,w + Ctr dB

Impact sound insulation: 64dB Dn,t,w + Ctr dB

*Reason: To safeguard the residential amenity of future residents from noise. Relevant policy: Core Strategy policy CP3.*

*Informative:*

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

- Submission of a plan to show the proposed private amenity space

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

<b>RELEVANT PLANNING HISTORY</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
191411	Householder application for the proposed erection of a part single storey part two storey rear extension, demolition of existing two chimneys,	Approved 31/07/19

	plus internal alterations and changes to fenestration.	
183490	Full application for the proposed erection of 1no 3xbedroom dwelling to rear of existing bungalow with associated access and parking.	Refused 04/02/19

<b>SUMMARY INFORMATION</b>	
Site Area	0.06 hectares
Existing units	1
Proposed units	2
Existing density – dwellings/hectare	17
Proposed density - dwellings/hectare	33
Number of affordable units proposed	0
Previous land use	Residential
Existing parking spaces	4
Proposed parking spaces	4

<b>CONSULTATION RESPONSES</b>	
Thames Water	No comments received
WBC Drainage	Recommend approval with no conditions
WBC Environmental Health	See Report
WBC Highways	Recommend approval subject to conditions
WBC Cleaner & Greener (Waste Services)	No comments received

<b>REPRESENTATIONS</b>
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**Town Council:** Earley Town Council: Recommend refusal:

- Proposal fails to enhance the quality of the environment contrary to Policy CP1. (Officer Note: See Character of the Area section below)
- Inappropriate increase in activity to the detriment of other residents, contrary to Policy CP3. (Officer Note: See Character of the Area section below)
- Lack of adequate landscaping to the frontage contrary to Policy CC03 and Borough Design Guide. (Officer Note: Landscaping Condition recommended and see section 12 of Report)
- The parking arrangement is not clearly defined to address the parking demand for each dwelling, with up to 3 spaces required for the 3 bedroom flat and up to 2 spaces required for the 1 bedroom flat, contrary to Policy CC07 and Borough Design Guide. (Officer Note: Parking Condition recommended and see paragraph 26 of Report)

If WBC are minded to approve the following conditions are requested:

1: The proposed roof lights are to be installed with a sill height of at least 1.7m above floor level, and are to be obscured glass, to protect the amenity of neighbouring properties. (Officer Note: See paragraphs 13-15).

2: A landscape scheme for the frontage of the property to ensure an attractive scheme and contribute positively to the local character. (Officer Note: Landscaping Condition recommended and see paragraph 12 of Report)

3: The submission and approval of a parking management plan to ensure adequate unallocated and visitor parking is available to each dwelling at all times. (Officer Note: See paragraph 26)

**Local Members:** Councillor Boyt: If minded to approve, application to be heard at Planning Committee due to inadequate parking. The layout as proposed could not be implemented as there is no dropped kerb. Absence of soft landscaping results in the proposal being contrary to policy. (Officer Note: Dropped kerb has been installed. A landscaping condition is recommended).

**Neighbours:** Three comments received

- Alleged previous use as House in Multiple Occupation (HMO) and others in street causing parking issues and antisocial behaviour (Officer Note: This is not considered to be relevant to the current application).
- The extended bungalow is still very small. (Officer Note: See paragraphs 19-22)
- Planning permission previously refused for two dwellings.
- Not all neighbours consulted and no site notice (Officer Note: Consultation undertaken as per the Statement of Community Involvement).
- Occupation by multiple families would impact on existing limited car parking. (Officer Note: See paragraph 26)
- The site should be limited to one dwelling.
- Impact on privacy from increased occupation and overlooking adjoining property. (Officer Note: See paragraphs 13-15)
- Proposals are profit driven and damaging to residential street.
- Unacceptable increase in number of potential future residents within a small scale building. (Officer Note: See paragraph 19-22)
- Existing car parking issues with potential for traffic accidents. (Officer Note: Not relevant to the current application).
- Area already overdeveloped with 6 new dwellings at 34a Hilltop Road.
- What would site address be given the numbering of existing development
- Flats out of keeping and would spoil character. (Officer Note: See paragraph 8-12)
- Number 30 Hilltop Road was supposed to be divided into two but wasn't. Two families live at that property increasing traffic and parking. (Officer Note: This is not considered relevant to the current application).

Whiteknights Residents Association:

- Impact on increased car ownership in the neighbourhood due to the extra tenants. (See paragraph 26 and condition 4).
- The property previously had a front lawn. Absence of soft landscaping in the front garden to make way for parking needs to be addressed in respect of TB06 of the MDD Local Plan. The absence of all green soft landscaping in the front garden is not in keeping with the character of the area and a landscaping scheme is required to retain soft landscaping. (see Condition 5 and paragraph 12).
- The bungalow has a total of four double bedrooms with a cumulative potential car ownership of 8 vehicles. Four parking bays are therefore inadequate, as surplus vehicles. (See paragraph 26 and condition 4).
- The number of vehicles owned by tenants therefore needs to be limited as a condition of any approval. (See paragraph 26 and condition 4).

<b>APPLICANTS POINTS</b>		
<ul style="list-style-type: none"> <li>• Planning permission granted under 191411 for extensions and assessed in terms of impact on neighbours.</li> <li>• Property already extended with internal works to be completed and layout to be determined according to the outcome of the planning application.</li> <li>• Modern development to the north-west.</li> <li>• Proposed development would provide two dwellings.</li> <li>• Site within acceptable distance of shops and services.</li> <li>• Off street parking proposed.</li> <li>• Conform to Part M Building Regulations.</li> <li>• Shed provide secure storage for cycles.</li> <li>• Plan to show amenity space.</li> <li>• To the front of the dwelling hard landscaping with parking, paths and areas for soft landscaping.</li> <li>• Each dwelling would be allocated two no. car parking spaces.</li> <li>• Not considered to impact on Ecology.</li> <li>• Willing to submit a landscaping scheme.</li> </ul>		
<b>PLANNING POLICY</b>		
National Policy	<b>NPPF</b>	National Planning Policy Framework
	<b>NPPG</b>	National Planning Policy Guidance
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP3</b>	General Principles for Development
	<b>CP5</b>	Housing mix, density and affordability
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP9</b>	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits
	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction
	<b>CC06</b>	Noise
	<b>CC07</b>	Parking
	<b>CC09</b>	Development and Flood Risk (from all sources)
	<b>CC10</b>	Sustainable Drainage
	<b>TB05</b>	Housing Mix
	<b>TB06</b>	Development of Private Residential Gardens
	<b>TB07</b>	Internal Space standards
	<b>TB21</b>	Landscape Character

	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide
		DCLG – Technical housing standards – nationally described space standard

<b>PLANNING ISSUES</b>
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**Site Description:**

1. The application site comprises an older style, bay fronted, detached chalet bungalow with existing front dormer with a detached garage to the rear, sited on a rectangular plot, in an established residential area. The property has four roof lights. There is a dropped kerb at the front of the property.
2. To the north-west of the dwelling are new dwellings in the form of two detached dwellings and two pairs of semi-detached properties. Hilltop Road is mixed in character but largely contains detached chalet bungalows.

**Planning History:**

3. Planning permission was granted in July 2019 for a part single storey part two storey rear extension, demolition of existing two chimneys, plus internal alterations and changes to fenestration.
4. The property has recently been extended with a part single storey and part two storey rear extension in line with that permission. The supporting Design and Access statement explains that the extensions are complete in turns of envelope of the building, the internal works are yet to be completed.

**Description of development:**

5. Planning permission is sought to subdivide the existing bungalow into two dwellings, 1 x 3 bed apartment on the ground floor and 1 x 1 bed apartment on the first floor. The proposals also include the introduction of four roof lights, which have already been installed.

**Principle of Development:**

6. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
7. The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP17 requires the delivery of 13,230 new dwellings between 2006 and 2026, with 723 dwellings provided annually in the current phase. The provision of an additional dwelling would contribute towards this target. Notwithstanding this, the most

up-to-date Five Year Housing Land Supply Statement demonstrates the Council has a five year housing land supply. The most up-to-date Five Year Housing Land Supply Statement established that at 31 March 2020, the Council can demonstrate a 5.23 year housing land supply against the Local Housing Need of 789 dwellings plus 5% buffer. Overall, the Development Plan and spatial strategy therein is delivering housing development in excess of the NPPF requirements and the recently published 2019 information continues to show this.

### **Character of the Area:**

8. Policy TB06 states that proposals for new residential development that includes land within the curtilage or former curtilage of private residential gardens would only be granted planning permission where they make a positive contribution to the character of the area including in terms of a layout which integrates with the surrounding area with regard to the built up coverage of each plot, building lines, rhythm of plot frontages, parking areas and existing pattern of openings and boundary treatments on the site frontage.
9. Furthermore, Policy CP3 of the Core Strategy sets out the qualities expected for a new residential development in the Borough. Policy CP3 of the Core Strategy states that planning permission will be granted for proposals that: are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area.
10. The Borough Design Guide provides greater detail: R1: states that residential development should be designed to contribute positively towards the historic or underlying character and quality of the local area. With R9, setting out new housing should be designed to create street scenes with coherent character that relates well to, or enhances existing street scenes (in terms of scale, rhythm, proportion, height, materials and colour).
11. In this case, the application site is an existing extended bungalow in a residential area. The character of the immediate surrounding area includes the new build infill residential development to the side and rear of the application site. The proposed use of the application dwelling as two dwellings, would intensify the existing residential development and could alter the appearance of the application site in the street scene with the introduction of residential paraphernalia to define the previously approved side access to an independent dwelling and result in residential alterations such as fencing within the front driveway could emphasise the sub-division of the plot. This is not considered to be detrimental to the character of the area as the proposed development would not increase the built form of buildings on the site and would be contained in existing built form, which has already been granted planning permission. There are no physical changes to the exterior of the building, except for the roof lights. The impact of the proposed development on the character of the area is considered to be minimal.
12. Consultation on the application has raised soft landscaping at the front of the dwelling. The arrangement is the same as was granted planning permission in July 2019. A landscaping condition is recommended.

### **Neighbouring Amenity:**

13. *Overlooking:* The first floor rear window of the proposed upper floor dwelling would allow for direct overlooking into both amenity spaces. However, shared external



amenity space is common for flatted development. The proposed arrangement would enable private space to some extent.

14. The proposals include the installation of four roof lights, which have already been installed. Three in the southern elevation facing Oakleigh, which provides an access road to the dwellings at the rear of the application site. The proposed roof lights on the southern elevation are not considered to result in overlooking.
15. The proposed roof light on the north elevation, facing No. 32 Hilltop Road is sited adjacent to the front elevation of No. 32 as the host dwelling is set forward of the neighbouring property. The proposed roof light looks out over the public facing front garden of No. 32 and the side accesses to both No. 30 and No. 32. The proposed roof light is set at 1 metre head height in the ceiling, whilst this is relatively low given the relationship with the adjoining property and existing window arrangement this is not considered to result in unacceptable overlooking. Accordingly, no condition on obscure glazing or non-opening is sought as requested by the Town Council, as this is considered to be unnecessary. The proposed roof light serves the proposed living room, which is also served by the front dormer.
16. *Loss of Light:* The proposal is not considered to result in loss of light as there is no additional built form proposed.
17. *Overbearing:* The proposal is not considered to be overbearing as the proposals does not involve additional built form.
18. The extensions to the dwelling were approved under 191411 whereby its impact on residential amenity was not considered to be harmful in terms of overlooking, loss of daylight and sunlight or loss of privacy.
19. *Impact of the proposal upon the prospective residential occupiers:* Policy TB07 of the MDD only has a minimum gross internal area for a 1 bedroom flat and this is 50 square metres and 87 square metres for a 3 bedroom house. R17 of the Borough Design Guide states that all dwellings must provide adequate internal space in appropriate layout to accommodate a range of lifestyles. Living areas and bedrooms should be large enough to accommodate a range of private and communal activities.
20. Technical Housing Standards – nationally described space standards set out that a one bedroom two bed space single storey dwelling should have a minimum gross internal floor area of 50 square metres. The space standard for a three bedroom, 6 person dwelling on a single storey is 95 square metres.
21. The technical requirements of the National Space Standards set out that any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted as 50% of its floor area, and any area lower than 900mm is not counted at all. The proposed first floor plans state 55 m<sup>2</sup> but the useable space is 50.5. The ground floor provides 104 square metres of floor space. Both of the proposed residential units meet National Space Standards.
22. TB07 also has minimum combined floor area for kitchen, dining and kitchen space of 23 square metres for 2 person occupancy and 31 for 6 person occupancy. The kitchen / living room for the proposed 3 bedroom dwelling on the ground floor is approximately 33 square metres, there is a dining room in addition. The proposed one bedroom

dwelling on the first floor has a combined living room and kitchen floor space (measured at 1.5 metres head height) of 23 square metres.

23. *External Amenity Space:* The Borough Design Guide SPD states that all dwelling should have access to some form of amenity space, preferably in the form of private or communal space. In some cases upper floor flats don't have access to gardens so private outdoor space is provided in the form of balconies etc. In this case, both of the proposed dwellings are proposed to have garden space. The amenity space should provide some degree of privacy, benefit from sunlight where possible and protect the privacy of existing residents. There should be space for space for 2 to 4 chairs and a small table. The existing garden is approximately 17.9 metres deep. The proposal is to sub-divide diagonally with the space closest to the dwelling allocated to the ground floor space allowing direct access. The proposed garden space for the ground floor 3 bedroom unit would be approximately 110 squares metres. The proposed external amenity space to serve the proposed first floor would be located at the western end. The access to the space would be adjacent to the garage which is shown to be retained. The proposed space to serve the proposed 1 bedroom first floor is approximately 160 square metres. The proposed space is considered to provide adequate external amenity space for each of the proposed units.
24. Consultation responses have raised concern over a House in Multiple Occupation (HMO). The applicant has not applied for a material change use to a HMO and as such the proposal has not been assessed on that basis. The proposed two flats would be C3 dwellings.
25. *Waste Storage:* Policy CC04 of the MDD Local Plan requires adequate internal and external storage for the segregation of waste and recycling as well as provision for green waste and composting and an appropriate area for ease of collection. Both of the proposed apartments would have private amenity space where refuse and recycling could be stored.

### **Highway Access and Parking Provision**

26. The proposal will result in conversion of the existing dwelling into two flats; 1 x 5-habitable room and 1 x 2-habitable room. The site is in an urban location. The parking standard for the proposed development is 2.2 parking spaces. Based on 2 allocated parking spaces per unit there is a recommendation for 0.1 of an unallocated parking space to be provided. This is not considered to be an issue so 4 spaces as indicated on the site plan would comply with the Councils standards. The proposal is for four off street parking spaces, these would be served by an existing dropped kerb. 2 no. spaces would be available to each of the proposed apartments. The proposed parking is considered acceptable in this instance to serve both flats. It is not considered necessary for a parking management plan to be submitted as sought by the Town Council. The proposed parking arrangement is considered to be sufficient. It is understood that prior to the 2019 planning permission for extensions there was an existing access, dropped and driveway parking for four cars. It is proposed that the existing garage would be offered as storage to the ground floor unit.
27. Secure and covered cycle storage is required for each of the flats. This shall be in an accessible location with footpath access identified. The size of the cycle store(s) shall be suitable for a minimum of 2 cycles for the 5-habitable room flat and 1 cycle for the

2-habitable room flat. A condition requiring submission of secure cycle parking is recommended.

### **Flooding and Drainage:**

28. The application site is located in Flood zone 1 according to the Environment Agency mapping with low risk of surface water flooding. Surface water runoff from the development will be managed via soakaway method. The proposed development has been considered by the Council's Drainage Engineer and the proposals are not considered to significantly extend the amount of hardstanding and have no impact for increasing of the surface water run-off from the development and therefore there is no objection in this regard.

### **Environmental Health:**

29. *Noise:* The Council's Environmental Health Officer has raised the potential for impact of noise between the proposed dwellings. The proposed living space on the first floor is above the proposed bedrooms on the ground floor. The proposals would result in separate households living directly above another household. The Environmental Health Officer highlighted the need for the level of acoustic insulation between the floors would need to be upgraded to ensure that excessive noise from day to day activity does not transmit between the floors. A condition is recommended on noise insulation. The Applicant has advised that the separation build up for the floor between the two dwellings has not yet been completed as the planning application is still under consideration. There is scope for the floor to be built up to comply with building regulations and it intended to use an absorbent material between the ceiling and joists above which a floor deck and floating floor would sit.

<b>The Public Sector Equality Duty (Equality Act 2010)</b>
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<i>In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.</i>
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### **CONCLUSION**

30. The proposal is to convert a single dwelling into two self-contained flats which is considered to be acceptable in principle. The proposal would have a minimal impact on the character of the area. The dwelling has recently been extended under a planning permission granted in July 2019. The only physical change to the building would be the installation of roof lights, which have already been installed. The roof lights are not considered to result in unacceptable overlooking. As such, the proposal is considered to accord with national and local planning policies, and is therefore recommended for approval.

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